

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1 - 11 are pending and stand rejected. Claims 1, 2, 4, 7, 10 and 11 have been amended.

Claims 1-11 stand rejected under 35 USC 102(e) as allegedly being anticipated by Ala-Laurila (USP no. 6,587,680).

Applicant respectfully disagrees with, and explicitly traverses, the reason for rejecting the claims. However, in the interest of advancing the prosecution of this matter, independent claims 1, 10 and 11 have been amended to more clearly state the invention.

More specifically, claims 1, 10 and 11 have been amended to recite that a common frequency band is utilized for alternate use by a first or a second interface protocol. No new matter has been added. Support for the amendment may be found on at least page 3, lines 13-14, which state in part, "a control station is provided which controls the alternate use of the common frequency band of the two radio interface standards."

Ala-Laurila, on the other hand, discloses the re-establishment of a security association when a communication handover event occurs in a radio communication system such as IEEE 802.11 [sic] or a HIPERLAN, wherein the existing security association is maintained when the communication handover occurs. (see Abstract).

Contrary to the statements found in the Office Action, Ala-Laurila fails to describe "at least one common frequency band that is provided for alternate use by a first and a second radio interface standard," as is described in claim 1. Rather, Ala-Laurila teaches a system that uses either one interface or another interface based on the devices requesting service. See for example, col. 3, line 54 -col. 4, line 5, which state, in part, "[p]roprietary functions have been proposed with permit improved quality of communications as compared to operation pursuant to the existing IEEE 802.11 standard... However, both ends of a communication pair ... must be capable of operation in the proprietary mode. If both ends ... are not together operable pursuant to the proprietary mode, conventional operation pursuant to the IEEE 802.11 standard is required." Hence, Ala-Laurila

discloses a method where either one interface or another is used based on the interface of the communication devices and further fails to disclose a common frequency band for the alternate use of the first and second interface.

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference. Ala-Laurila cannot be said to anticipate the present invention, because Ala-Laurila fails to disclose each and every element recited.

Applicant, accordingly, submits that the reason for the rejection of claim 1 has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to independent claims 10 and 11, these claims recite subject matter similar to that recited in claim 1 and were rejected for the same reason used in rejecting claim 1. Thus, for the amendments made to these claims, which are similar to the amendments made with regard to claim 1, and for the remarks made in response to the rejection of claim 1, which are also applicable in response to the rejection of claims 10 and 11, and are reasserted, as if in full, herein, in response to the rejection of claims 10 and 11, applicant submits that the reason for rejecting these claims has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard to the remaining claims these claims ultimately depend from the independent claim 1, which has been shown to contain subject matter not disclosed by, and, hence, allowable over, the reference cited. Accordingly, these claims are also allowable by virtue of their dependency from an allowable base claim.

Applicant, accordingly, respectfully requests withdrawal of the rejection and allowance of the claims.

Although the last Office Action was made final, this amendment should be entered. No matter has been added to the claims that would require comparison with the prior art or any further review. Accordingly, pursuant to MPEP 714.13, applicant's amendments should only require a cursory review by the examiner. The amendment therefore should be entered without requiring a showing under 37 CFR 1.116(b).


For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Russell Gross
Registration No. 40,007



Date: July 12, 2005

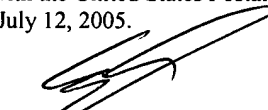
By:  Steve Cha
Attorney for Applicant
Registration No. 44,069

Mail all correspondence to:
Russell Gross, Registration No. 40,007
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9624
Fax: (914) 332-0615

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Steve Cha, Reg. No. 44,069
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